

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NEXPOINT STRATEGIC OPPORTUNITIES
FUND,

Plaintiff,

-against-

ACIS CAPITAL MANAGEMENT, L.P., U.S.
BANK, N.A., JOSHUA N. TERRY,
BRIGADE CAPITAL MANAGEMENT, LP

Defendants.

1:21-cv-04384-GHW

**NOTICE OF JOINDER AND
MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Joinder and Memorandum of Law, dated January 27, 2022, the undersigned hereby move this Court on behalf of defendant Brigade Capital Management, LP, before the Honorable Gregory H. Woods, United States District Judge, at the United States District Courthouse for the Southern District of New York, located at 500 Pearl Street, Courtroom 12C, New York, New York 10007, on a date and time to be determined by the Court, for an Order dismissing the Second Amended Complaint of NexPoint Strategic Opportunities Fund (ECF No. 42) with prejudice pursuant to Fed. R. Civ. P. 12.

PLEASE TAKE FURTHER NOTICE that Brigade hereby adopts, relies upon, and joins the Motions to Dismiss, Memoranda of Law in Support, and declarations and exhibits thereto filed by (i) Acis Capital Management, L.P.; (ii) Highland CLO Funding Ltd.; and (iii) U.S. Bank, N.A, each dated January 27, 2022.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Order, dated January 4, 2022, NexPoint's response in opposition shall be filed on or before four weeks after service of Defendants' motions, *i.e.*, February 24, 2022, and Defendants' reply shall be filed two weeks after service of Plaintiffs' opposition, *i.e.*, March 10, 2022.

Dated: January 27, 2022
New York, New York

Respectfully submitted,

/s/ Jason C. Hegt
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